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Attorneys For Defendant
Deutsche Bank AG, New York branch

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
GINA ESPOSITO,

Plaintiff,

- against -

DEUTSCHE BANK AG

Defendant.
----- X

:
:
: 07 Civ. 6722 (RJS)(AJP)
:

: **NOTICE OF MOTION FOR**
: **PARTIAL DISMISSAL OF**
: **PLAINTIFF'S COMPLAINT**
:
:
:

To: Attorney for Plaintiff:
Mr. J. Patrick DeLince
DeLince Law PLLC
44 Wall Street, 10th Floor
New York, New York 10005-2401


PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and Affidavit of Joanne Seltzer, the undersigned will move this Court before The Honorable Richard J. Sullivan at the United States Courthouse, 500 Pearl Street, New York, New York 10007 for an order pursuant to Federal Rule of Civil Procedure 12(b)(6), dismissing the time-barred claims in Plaintiff Gina Esposito's Complaint, in their entirety and with prejudice, for failure to state a claim upon which relief can be granted.

Dated: October 12, 2007
New York, New York

Respectfully submitted,

SIDLEY AUSTIN LLP

By:



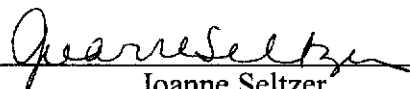
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CERTIFICATE OF SERVICE

I, Joanne Seltzer, an attorney admitted to practice in the State of New York, and not a party to this action, state under penalty of perjury that on this 12th day of October, 2007, I caused a true and correct copy of the foregoing Notice of Motion for Partial Dismissal of Plaintiff's Complaint to be served by Federal Express overnight delivery upon the following parties:

Attorney for Plaintiff:
Mr. J. Patrick DeLince
DeLince Law PLLC
44 Wall Street, 10th Floor
New York, New York 10005-2401



Joanne Seltzer

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